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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

ZICHT, PATRICIA C

ART UNIT	PAPER NUMBER
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2164

DATE MAILED: 07/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/875,556

Applicant(s)

DOSS ET AL.

Examiner

Patricia C. Zicht

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-69 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-69 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

  
**SAM RIMELL**  
**PRIMARY EXAMINER**

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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## **DETAILED ACTION**

### ***Remarks***

1. In response to communications filed on April 15, 2005, claims 1-69 are currently amended, per applicant's request. Claims 1-69 are presently pending in the application of which claims 1, 24, and 47 are presented in independent form.

### ***Claim Objections***

2. Claims 47-69, as amended, are objected to because of the following informalities:

in amended claim 47, line 10, should end with a colon (:).

claims 48-69 are objected because they are dependent claims of the rejected independent claim 47.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-69 are rejected under 35 U.S.C. 102(e) as being anticipated by Diacakis et al. (U.S. Pub. No. 2002/0116336 A1).

As to claim 1, Diacakis et al. teaches a method in a computer system for providing both directory information and dynamically updated contact information for at least one of a plurality of entities in response to a directory search, the method comprising:

receiving a query criteria (see figure 4, where "query criteria" is read on "presence information" and "availability information") to perform a directory search, the query criteria comprising information that is included in a directory database (see paragraph 30);

executing a search of the directory database that comprises static information and does not comprise dynamically updated contact information utilizing the query criteria to produce a first result (see figure 8, where "first result" is read on "Contacts Program"), the directory database being a list of names and addresses of potential recipients (see figure 2);

invoking a dynamic contact information service utilizing the first result to search an electronic calendaring system to produce a second result containing dynamic contact information about each recipient included in the first result, the dynamic contact information being dynamically updated to indicate a recipient's current contact information and current availability that describe how the recipient can be currently contacted (see figure 8, where "second result" is read on "Contact Properties");

coalescing the first and second results to produce a coalesced result; and providing the coalesced result (see figure 8).

As to claims 2, 25, and 48, Diacakis et al. teaches the method further comprising:  
executing the search of the directory database utilizing the query criteria to  
produce the first result which is a null set (see figure 10, references 126 and 128;  
and see paragraph 66, where “null” is read on “not available”); and  
invoking the dynamic contact information service utilizing the query criteria to  
produce the second result (see figure 10; and see paragraph 66).

As to claims 3, 26 and 49, Diacakis et al. teaches the method, further comprising:  
establishing the directory database including directory records for a first plurality  
of the plurality of entities, the directory records including directory information for  
each of the first plurality of the plurality of entities (see figure 8, “Contacts Program”);  
and

establishing a dynamic contact information service that provides a dynamic-  
content record for a second plurality of the plurality of entities, each the dynamic-  
content record being dynamically updated to indicate current contact information for  
the each of the second plurality of the plurality of entities (see figure 8, “Contact  
Properties”).

As to claims 4, 27, and 50, Diacakis et al. teaches the method further comprising  
specifying filtering preferences for filtering the coalesced result to produce a filtered  
result (see figure 7, reference 108).

As to claims 5, 28, and 51, Diacakis et al. teaches the method further comprising formatting and displaying the filtered result (see figure 8, where “formatting and displaying the filtered result” is read on “Contact Properties”).

As to claims 6, 29, and 52, Diacakis et al. teaches the method further comprising filtering the coalesced result to include within the filtered result only records of a plurality of people whose contact information indicates that the plurality of people are available by a requestor specified means and within a particular period of time (see paragraph 31, where “requestor specified means” is read on “the individual identifies and categorizes”; and see paragraph 40 where “particular period of time” is read on “time of day information and known scheduling/calendar information”).

As to claims 7, 30, and 53, Diacakis et al. the method further comprising filtering the coalesced result to include within the filtered result only records of a plurality of people whose contact information indicates that the plurality of people are available to receive a telephone call within a particular period of time (see paragraph 56).

As to claims 8, 31, and 54, Diacakis et al. teaches the method further comprising filtering the coalesced result to include within the filtered result only records of a plurality of people whose contact information indicates that the plurality of people are available for an in-person meeting within a particular period of time (see paragraph

33; and see paragraph 57, where “available for an in-person meeting” is read on “situation” and “situation profile”).

As to claims 9, 32, and 55, Diacakis et al. teaches the method further comprising filtering the coalesced result to include within the filtered result only records of a plurality of people whose contact information indicates that the plurality of people are available for communication via instant messaging within a particular period of time (see paragraph 56).

As to claims 10, 33, and 56, Diacakis et al. teaches the method further comprising filtering the coalesced result to include within the filtered result only records of a plurality of people whose contact information indicates that the plurality of people are available for receiving a page within a particular period of time (see paragraph 60).

As to claims 11, 34, and 57, Diacakis et al. teaches the method further comprising filtering the coalesced result to include within the filtered result only records of a plurality of people whose contact information indicates that the plurality of people are available to check an e-mail account for each of the plurality of people within a particular period of time (see figure 8, “E-mail”).

As to claims 12, 35, and 58, Diacakis et al. teaches the method further comprising filtering the coalesced result to include within the filtered result only fields specified by a requestor (see paragraph 34).

As to claims 13, 36, and 59, Diacakis et al. teaches the method further comprising specifying sorting preferences for sorting the coalesced result (see figure 8, where “sorting the coalesced result” is read on “Contacts Program”).

As to claims 14, 37, and 60, Diacakis et al. teaches the method further comprising sorting the records so that the records are displayed in a particular order (see figure 8, where “records are displayed in a particular order” is read on “Contacts Program”).

As to claims 15, 38, and 61, Diacakis et al. teaches the method further comprising including within the coalesced result a telephone number for each of the plurality of people, the telephone number being a telephone number at which the each of the plurality of people can be reached by telephone during a particular period of time (see figure 8; and see paragraph 59).

As to claims 16, 39, and 62, Diacakis et al. teaches the method further comprising including within the coalesced result a physical location for each of the plurality of people, the physical location being a location where the each of the



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plurality of people can be found during a particular period of time (see figure 4, reference 56).

As to claims 17, 40, and 63, Diacakis et al. teaches the method further comprising including within the coalesced result a pager address for each of the plurality of people, the pager address being a pager address at which the each of the plurality of people can be reached by paging during a particular period of time (see paragraphs 59-60).

As to claims 18, 41, and 64, Diacakis et al. teaches the method further comprising including within the coalesced result an instant message user name for each of the plurality of people, the instant message user name being an instant message user name at which the each of the plurality of people can be reached via an instant message service during a particular period of time (see figure 2 and figure 8; and see paragraph 59).

As to claims 19, 42, and 65, Diacakis et al. teaches the method further comprising including within the coalesced result an e-mail address for each of the plurality of people, the e-mail address being an e-mail address which the each of the plurality of people is expected to check during a particular period of time (see figure 2; and see figure 8).

As to claims 20, 43, and 66, Diacakis et al. teaches the method, further comprising including within the coalesced result an indication of whether the one or more of the plurality of people is currently utilizing a telephone (see paragraph 43, where “utilizing the phone” is read on “wireless telephone network”; and see paragraph 59).

As to claims 21, 44, and 67, Diacakis et al. teaches the method further comprising including within the coalesced result an indication of a best current means for contacting each of the plurality of people (see figure 2, where “best” is read on “preferred”; and see paragraph 32, where “best” is read on “indication”).

As to claims 22, 45, and 68, Diacakis et al. teaches the method further comprising including within the coalesced result an indication of an alternate contact person for each of the plurality of people (see figure 8, where “alternate contact person” is read on “Cell vmail” and “Home vmail”).

As to claims 23, 46, and 69, Diacakis et al. teaches the method further comprising including within the coalesced result an indication of whether the one or more of the plurality of people is available in a particular period of time to be contacted by any means and one or more means for contacting the one or more of the plurality of people (see figure 8, where an “indication” is read on “contact properties”; and see paragraph 56, where “indication” is read on “icon”).

As to claim 24, Diacakis et al. teaches a computer program product in a computer system for providing both directory information and dynamically updated contact information for at least one of a plurality of entities in response to a directory search (see figure 8, where "directory information" is read on "Contacts program" and "contact information" is read on "Contact properties").

a computer readable medium having computer readable program code embodied therein (see paragraph 39).

For the remaining steps of this claim, the applicant is directed to remarks and discussions made in claim 1 above.

As to claim 47, Diacakis et al. teaches a computer system for providing both directory information and dynamically updated contact information for at least one of a plurality of entities in response to a directory search, comprising:

a memory (see paragraph 39);

a processor connected to access the memory (see paragraph 39);

a directory database stored in the memory, the directory database comprising a list of names and addresses of potential recipients, the directory database comprising static information and does not comprise dynamically updated contact information (see figure 2);

program instructions stored in the memory and executed by the processor, the program instructions comprising (see paragraph 39):

instructions for receiving a query criteria (see figure 4) to perform a directory search, the query criteria comprising information that is included in the directory database (see figure 8);

instructions for executing a search of the directory database utilizing the query criteria to produce a first result (see figure 4; and see paragraph 39, where "CPU" is read on "computer readable medium" and "code" is read on "software code").

For the remaining steps of this claim, the applicant is directed to remarks and discussions made in claim 1 above.

#### ***Response to Amendment***

5. Applicant's arguments filed on 15-April-2005 with response to claims 1-69 have been fully considered but they are not deemed persuasive.

In response to applicant's arguments regarding amended claims 1, 24 and 47 that "This information is not a 'query criteria' as claimed by Applicants 'to perform a directory search', where the directory data 'comprises static information and does not comprise dynamically updated contact information'.", the argument has been fully considered but is not found to be persuasive, because Diacakis et al. teaches "One instance, however, in which an observer is not the same as a subscriber is if someone requests an individual's P&A information just once, without placing a subscription for it" (see paragraph 30).

Additionally, in regards to applicant's arguments that "The names listed in the contacts program of Figure 8 are not a first result as taught by Applicants" and "The

names listed in the contacts program are not the result of a directory search.

Nothing conducted any type of search to produce the list of names in the contacts program", the arguments have been fully considered but are not found to be persuasive, because Diacakis et al. teaches "One instance, however, in which an observer is not the same as a subscriber is if someone requests an individual's P&A information just once, without placing a subscription for it" and "Profile information, as described further herein, may be stored in a database 24 of the server 12" (see paragraphs 24 and 30; and see figure 2).

In regards to applicant's arguments that "Diacakis does not teach executing a search of a directory data base using the query criteria to produce a first result" and "Diacakis does not teach two separate searches" and "the list of individuals in the contact program was not produced as a result of the search. Further, the information in the contact properties is not produced as a result of search of an electronic calendaring system using the results of the first search" and "the contact properties section of Figure 8 of Diacakis does not include information about each recipient that is listed in the contact program section", the arguments have been fully considered but are not found to be persuasive, because Diacakis et al. teaches that "the subscriber may navigate the list of names in the right hand window ("Contacts Program") to access the P&A information regarding the highlighted individual in the left hand window ("Contact Properties")", and "One instance, however, in which an observer is not the same as a subscriber is if someone requests an individual's P&A

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information just once, without placing a subscription for it" (see figure 8; and see paragraphs 30 and 56).

**Conclusion**

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

7. Any inquiries concerning this communication or earlier communications from the examiner should be directed to Patricia C. Zicht, whose telephone number is (571) 272-5866. The examiner can normally be reached on Mondays-Fridays from 08:30 am to 05:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici, can be reached at (571) 272-4083.

pcz

June 10, 2005



**SAM RIMELL  
PRIMARY EXAMINER**